

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-56236-2023 (O&M)
DECIDED ON: 30.11.2023

GOBINDA ALIAS GOVINDA AND ANOTHER

.....PETITIONERS

VERSUS

STATE OF PUNJAB AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY.

Present: Mr. Vipul Aggarwal, Advocate
for the petitioners.

Mr. Anmol Singh Sandhu, AAG, Punjab.

Mr. Sunita Gupta, Advocate
for respondent No.2.

SANJIV BERRY, J (ORAL)

By way of present petition filed under Section 482 of the Code of Criminal Procedure, 1973, petitioners seek quashing of FIR (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise/settlement dated 11.10.2023 (Annexure P-2) executed between the parties. Details of the FIR are as follows:

FIR No.	Dated	Sections	Police Station
60	27.08.2023	323, 324 of IPC	Verka, District Police Commissionerate Amritsar

2. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed dated 11.10.2023 (Annexure P-2), which is duly signed by them. The matter was referred to the Court below for recording of statements of the parties and to report with respect to genuineness of the compromise arrived at between the parties. The learned Judicial Magistrate 1st Class, Amritsar vide report dated 24.11.2023 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

3. Respondent No.2 is represented by his counsel and does not oppose the compromise.

4. Status report dated 30.11.2023 in the form of an affidavit of Assistant Commissioner of Police, East Amritsar City on behalf of respondent No.1 has been filed. The same is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

5. In view of the aforesaid report of the learned Judicial Magistrate 1st Class, Amritsar and in view of the decision of the Hon'ble Supreme Court in “Gian Singh Vs. State of Punjab and another”, 2012(4) RCR (Criminal) 543 and “Narinder Singh and Others Vs. State of Punjab and Another”, (2014) 6 SCC 466, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since the complainant has himself compromised the dispute with the petitioners/ accused persons.

6. In the circumstances, the present petition is allowed. FIR No.60 dated 27.08.2023, under Sections 323, 324 of IPC registered at

Police Station Verka, District Police Commissionerate Amritsar (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners.

30.11.2023

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(SANJIV BERRY)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No